REMARKS

This application has been carefully reviewed in light of the Office Action dated January 2, 2004. Claims 17 to 34 are now pending in the application, with Claims 1 to 16 having been canceled and Claims 17 to 34 having been added. Claims 17, 24, 31 and 33 are the independent claims herein. Reconsideration and further examination are respectfully requested.

Claim 1 was rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 5,594,653 (Akiyama), Claims 2 to 6 and 8 to 11 were rejected under 35 U.S.C. § 103(a) over Akiyama in view of U.S. Patent No. 6,351,315 (Kusumoto), Claims 7, 12 and 13 were rejected under § 103(a) over Akiyama in view of Kusumoto and further in view of U.S. Patent No. 5,619,623 (Takayanagi), and Claims 14 to 16 were rejected under § 103(a) over U.S. Patent No. 6,639,687 (Neilsen) in view of Kusumoto and further in view of Akiyama. Without conceding the correctness of the rejections, Claims 1 to 16 have been cancelled, thereby obviating the rejections. Nonetheless, newly-added Claims 17 to 34 are believed to be allowable over the art of record for at least the following reasons.

The present invention concerns controlling print out of print data in a printer. Conventionally, printers receive and print out print data in the order that it is received. However, if a print job is received by the printer and the printer is not able to process the print job, all other print jobs pending in the print queue are held-up and are not able to be processed. For example, if a printer is set-up only with letter size paper trays and a print job is sent to the printer to be printed with A4 size paper, the print job cannot be printed by the printer and all other print jobs received by the printer after the A4 print job are held in abeyance until the A4 print job is either cancelled manually by the user that sent

the print job, or until the printer is set-up with an A4 paper tray so that the print job can be processed.

The present invention addresses the foregoing by allowing the print job that cannot be output to be retreated and to allow the other print jobs to print out. According to the invention, if a first print job cannot be output and a second print job can be output, the first print job is retreated and the second print job is output. The retreat is performed based on an indication included with the print job as to whether or not the print data is to be retreated. Along similar lines, a user at a host computer can have the jobs pending in the printer displayed and can change a setting of the job so that the job can be retained in a different queue area rather than being printed out. As a result, print jobs that would otherwise hold-up printing can be temporarily placed in a secondary queue until the job can be processed, thereby permitting the other jobs to be processed.

Referring specifically to the claims, newly-added Claims 17 is a printer that can communicate with a host computer, the printer comprising control means for, if first print data received from the host computer cannot be output, and if it is possible to output second print data subsequently received after the first print data from the host computer, retreating the first print data and outputting the second print data, wherein the control means retreats the first print data based on an indication whether the print data is to be retreated, the indication being included in each print instruction provided by the host computer.

Newly-added independent Claim 24 is a method claim that substantially corresponds to Claim 17.

Newly-added independent Claim 31 is a host computer that can communicate with a printer provided with a first management unit for outputting at least

one print data in a sequential order of registration, and a second management unit for retaining at least one print data without outputting the print data, the host computer comprising setting means for providing each print data with setting information indicating whether or not the print data is to be retained in the second management unit without outputting promptly, selection means for selecting any of at least one print data retained in the second management unit, display control means for displaying a setting screen adapted for changing a print setting on the print data selected by the selection means, and notification means for notifying the printer of the print setting on the selected print data changed on the setting screen displayed by the display control means.

Newly-added independent Claim 33 is a program claim that substantially corresponds to Claim 31.

The art of record is not seen to disclose or to suggest the features of newly-added independent Claims 17, 24, 31 and 33. More particularly, with regard to Claims 17 and 24, the art of record is not seen to disclose or to suggest at least the feature of a printer that, if first print data received from a host computer cannot be output, and if it is possible to output second print data subsequently received after the first print data from the host computer, retreating the first print data and outputting the second print data based on an indication included in each print instruction provided by the host computer whether the print data is to be retreated. With regard to Claims 31 and 33, the art of record is not seen to disclose or to suggest at least the feature of a host computer that provides each print data with setting information indicating whether or not the print data is to be retained in a second management unit without outputting promptly, and that changes a print setting on selected print data and notifies the printer of the changed print setting.

Akiyama is merely seen to disclose storing error state flags when an error occurs. Thus, the error state flags merely indicates the occurrence of an error in the printer. However, Akiyama is not seen to disclose or to suggest at least the feature of a printer that, if first print data received from a host computer cannot be output, and if it is possible to output second print data subsequently received after the first print data from the host computer, retreating the first print data and outputting the second print data based on an indication included in each print instruction provided by the host computer whether the print data is to be retreated (Claims 17 and 24), or at least the feature of a host computer that provides each print data with setting information indicating whether or not the print data is to be retained in a second management unit without outputting promptly, and that changes a print setting on selected print data and notifies the printer of the changed print setting (Claims 31 and 33).

Kusumoto is merely seen to disclose a printer that transfers a print job stored in its memory to an external apparatus such that, even if the printer is turned off, the print job is sent back to the printer from the external apparatus for printing. However, Kusumoto is not seen to disclose or to suggest at least the feature of a printer that, if first print data received from a host computer cannot be output, and if it is possible to output second print data subsequently received after the first print data from the host computer, retreating the first print data and outputting the second print data based on an indication included in each print instruction provided by the host computer whether the print data is to be retreated (Claims 17 and 24), or at least the feature of a host computer that provides each print data with setting information indicating whether or not the print data is to be retained in a second management unit without outputting promptly, and that changes a

print setting on selected print data and notifies the printer of the changed print setting (Claims 31 and 33).

Takayanagi is merely seen to disclose transmitting print data from a host computer to a print control device. The computer changes image data or attribute data of the print data and then transmits the data as changed. However, Takayanagi is not seen to disclose or to suggest at least the feature of a printer that, if first print data received from a host computer cannot be output, and if it is possible to output second print data subsequently received after the first print data from the host computer, retreating the first print data and outputting the second print data based on an indication included in each print instruction provided by the host computer whether the print data is to be retreated (Claims 17 and 24), or at least the feature of a host computer that provides each print data with setting information indicating whether or not the print data is to be retained in a second management unit without outputting promptly, and that changes a print setting on selected print data and notifies the printer of the changed print setting (Claims 31 and 33).

Neilsen is merely seen to disclose a dialog (e.g., 40a) for canceling a job. However, Neilsen is not seen to disclose or to suggest at least the feature of a printer that, if first print data received from a host computer cannot be output, and if it is possible to output second print data subsequently received after the first print data from the host computer, retreating the first print data and outputting the second print data based on an indication included in each print instruction provided by the host computer whether the print data is to be retreated (Claims 17 and 24), or at least the feature of a host computer that provides each print data with setting information indicating whether or not the print data is to be retained in a second management unit without outputting promptly, and that

changes a print setting on selected print data and notifies the printer of the changed print setting (Claims 31 and 33).

It is noted that an Information Disclosure Statement is being filed concurrently herewith to cite U.S. Patent No. 6,144,457 (Higuchi). As it relates to the presently claimed invention, Higuchi is merely seen to disclose processing in a printer when an error occurs during printing of a print job received from a host computer. The printer stores fixed conditions indicating whether or not subsequent print jobs are to be executed. However, Higuchi is not seen to disclose or to suggest the present invention as currently claimed.

Thus, all of newly-added Claims 17 to 34 are believed to be allowable over the art of record.

No other matters having been raised, the entire application is believed to be in condition for allowance and such action is respectfully requested at the Examiner's earliest convenience.

Applicant's undersigned attorney may be reached in our Costa Mesa, California office at (714) 540-8700. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

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